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ARK:jsg042006/1901010.RESRR



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant : Petros Gebreselassie et al.
Serial No. : 10/618,202
Filed : July 11, 2003
For : CHEWING GUM AND CONFECTIONERY
COMPOSITIONS CONTAINING A STAIN
REMOVING COMPLEX, AND METHODS
OF MAKING AND USING THE SAME
Examiner : Arthur L. Corbin
Art Unit : 1761
Confirmation No. : 4181
Attorney Docket No. : PC25311-07-LAV

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450
ON April 20, 2006
NAME Jill S. Garretson
SIGNATURE *Jill S. Garretson*

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

April 20, 2006

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

Responsive to the Restriction Requirement of March 28, 2006, Applicants hereby elect the Group I claims (claims 1-23 and 39), drawn to a chewing gum

composition. Applicants specifically reserve the right to pursue non-elected claims by the filing of a divisional application.

Further in response to the Restriction Requirement, Applicants hereby elect as the species of stain removing agent, sodium stearate, sodium palmitate and combinations thereof. Applicants respectfully request modification of the election of species requirement as it pertains to the stain removing agent because sodium stearate and sodium palmitate are often sold commercially as a mixture of the two compounds, typically as a 50:50 mixture. If the election of sodium stearate, sodium palmitate and mixtures thereof is not acceptable, then Applicants elect sodium stearate.

The claims readable on the elected invention are claims 1-15 and 17-23. Applicants respectfully traverse the restriction requirement. The present invention is directed to compositions (chewing gum and confectionery compositions) that employ a stain removing complex. The stain removing complex is a combination of a stain removing agent and a cyclodextrin compound in which the stain removing agent must be present in a manner which enables an effective amount of the stain removing agent to be released from the chewing gum composition.

The Examiner's attention is directed to U.S. Patent Nos. 6,696,044 and 6,479,071 concerning related subject matter owned by the Assignee herein. In these patents, the stain removing agents covered by claims 13-16 of the present

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application were examined in a single application (compare U.S. Patent Nos. 6,471,945 and 6,485,739). In U.S. Patent No. 6,479,071, the chewing gum composition of the claimed invention employed anionic and non-ionic surfactants as stain removing agents but also included another feature of the invention, namely, the encapsulation of the stain removing agent. When the invention was considered a combination of patentable features, restriction was not required among the surfactant stain removing agents.

In the presently claimed invention, there is provided a stain removing complex. This complex not only requires a select group of stain removing surfactants but also a cyclodextrin compound. Because patentability resides in the combination of these components, restriction should not be required among one of the components. Withdrawal of the Restriction Requirement is therefore deemed proper and is respectfully requested.

It is believed that no fee is due in connection with this matter. However, if any fee is due, it should be charged to Deposit Account No. 23-0510.

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Respectfully submitted,


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